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In re Application of: Hammack, et al.)

Serial No.: 10/730,861)

Filed: December 9, 2003)

For: Catheter System with On-Board
Temperature Probe)

Art Unit: 3739

Examiner: Johnson III, H.

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**CERTIFICATE OF FACSIMILE
TRANSMISSION**I hereby certify that this correspondence is being
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Patent and Trademark Office at (571)273-8300
on January 30, 2006.By: 

Robert D. Buyan, Reg. No. 32,460

TERMINAL DISCLAIMER ACCOMPANYING DECLARATION
UNDER 37 C.F.R. § 1.130Commissioner for Patents
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Dear Sir:

Radiant Medical, Inc., the 100% owner of the above-captioned United States Patent Application Serial No. 10/730,861 hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U. S. C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of prior United States Patent No. 6,679,906.

Radiant Medical, Inc. hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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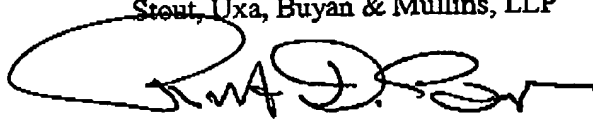
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 15410 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The Director is authorized to deduct the small entity fee for this Terminal Disclaimer from Deposit Account 50-0878.

Respectfully submitted,

Stout, Uxa, Buyan & Mullins, LLP

Date: January 30, 2006



Robert D. Buyan, Reg. No. 32,460

4 Venture, Suite 300
Irvine, CA 92618
Telephone: (949) 450-1750, Facsimile: (949) 450-1764
email: rbuyan@patlawyers.com